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TECH CENTER 1600/2900

Patent Application

Attorney's Docket No. 022650-690

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Jean-Michel GAULLIARD et al) Group Art Unit: 1616
Application No.: 10/070,457) Examiner: Alton N. Pryor
Filed: July 19, 2002) Confirmation No.: 6847
For: METHOD OF CONTROLLING)
SOIL INSECTS WITH)
PHENYLPYRAZOLES)
)
)
)

REPLY TO ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Official Action/Election Requirement dated June 4, 2003, applicants elect, with traverse, fipronil as the compound of formula (I), cellulose as the moisture-retaining agent and maize as the vegetable meal. As to additional agents which may be present, applicants elect lactose, both as a sugar and as a disintegrating agent. All of Claims 18-50 read on the elected subject matter.

Nevertheless, the election requirement is traversed because election of species normally presupposes that no generic claim is allowable, and no art has been adduced which would militate against the allowance of a generic claim herein.

Reconsideration of the election requirement and examination of all of Claims 18-50
are believed to be in order and are earnestly solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 20, 2003

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

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TECH CENTER 1510/2300
Patent Application

Attorney's Docket No. 022650-690



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP NON-FEE AMENDMENT
)	
Jean-Michel GAULLIARD et al)	Group Art Unit: 1616
)	
Application No.: 10/070,457)	Examiner: Alton N. Pryor
)	
Filed: July 19, 2002)	Confirmation No.: 6847
)	
For: METHOD OF CONTROLLING)	
SOIL INSECTS WITH)	
PHENYLPYRAZOLES)	
)	

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are _____.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

(05/03)

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

A M E N D E D C L A I M S					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims	33	MINUS 33 =	0	× \$18.00 (1202) =	0.00
Independent Claims	1	MINUS 3 =	0	× \$84.00 (1201) =	0.00
If Amendment adds multiple dependent claims, add \$280.00 (1203)					0.00
Total Amendment Fee					0.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					0.00
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					0.00

☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 20, 2003

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

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